

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

THE COMPHY CO.,

Plaintiff,

v.

AMAZON.COM, INC.,

Defendant.

No. 2:18-cv-01460-RSM

NINTH STIPULATED MOTION TO  
STAY AND ORDER TO STAY

Plaintiff The Comphy Co. ("Comphy") and Defendant Amazon.com, Inc. ("Amazon") jointly present the following status report regarding settlement and stipulated request to stay:

**STIPULATION**

1. On May 10, 2019, the parties advised this Court they had reached a tentative agreement on settlement terms and were in the process of preparing a written settlement agreement. The parties requested that this matter be stayed for 30 days to permit settlement negotiations. This Court granted the order for stay, which has been extended in successive orders to date. At the end of each stay, the parties have agreed to either dismiss the case or file a status report. The parties now submit this status report on the status of settlement negotiations.

2. Since initially stayed, the parties have engaged in extensive discussions over the terms of a final written settlement agreement, including the exchange of multiple written drafts of a settlement agreement. The parties believe that they are in the process of either agreeing to the final terms, or in the alternative, a potential deadlock.

3. The parties request that the Court stay this matter for an additional 30 days to permit the parties to agree on and approve the final settlement terms. At the conclusion of the stay, if the parties are not prepared to file a stipulation to dismiss the case or otherwise advise the Court that such action is imminent, then the parties request that the Court schedule a status conference. The parties appreciate the Court's patience with these settlement negotiations.

DATED this 14th day of February, 2020.

DAVIS WRIGHT TREMAINE LLP

By /s/ Zana Z. Bugaighis

Bonnie E. MacNaughton, WSBA #36110  
Zana Z. Bugaighis, WSBA #43614  
920 Fifth Avenue, Suite 3300  
Seattle, Washington 98104-1610  
Telephone: (206) 622-3150  
Fax: (206) 757-7700  
E-mail: [bonniemacnaughton@dwt.com](mailto:bonniemacnaughton@dwt.com)  
[zanabugaighis@dwt.com](mailto:zanabugaighis@dwt.com)

Joseph C. Gratz (*pro hac vice*)  
Vera Ranieri (*pro hac vice*)  
DURIE TANGRI LLP  
217 Leidesdorff Street  
San Francisco, California 94111  
Telephone: (415) 362-6666  
Fax: (415) 236-6300  
E-mail: [jgratz@durietangri.com](mailto:jgratz@durietangri.com)  
[vrانieri@durietangri.com](mailto:vrانieri@durietangri.com)

*Attorneys for Defendant Amazon.com, Inc.*

– and –

BROWNLIE WOLF & LEE, LLP

By /s/ Mark J. Lee

Mark J. Lee, WSBA #19339  
Haylee J. Hurst, WSBA #51406  
230 E. Champion Street  
Bellingham, Washington 98225  
Telephone: (360) 676-0306  
Fax: (360) 676-8058  
E-mail: mark@bellinghamlegal.com  
haylee@bellinghamlegal.com

Steven P. Fallon (*pro hac vice*)  
Allyson M. Martin (*pro hac vice*)  
GREER BURNS & CRAIN LTD  
300 S. Wacker Drive, Suite 2500  
Chicago, Illinois 60606  
Telephone: (312) 360-0080  
Fax: (312) 360-9315  
E-mail: sfallon@gbc.law  
amartin@gbc.law

*Attorneys for Plaintiff The Comphy Co.*

\*Signature authorized by email on February  
14, 2020

**ORDER**

IT IS SO ORDERED.

DATED THIS 18 day of February 2020.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE